



**European Union Agency for Network and Information Security
Management Board Meeting**

17th October 2013, Vilnius, Lithuania

Minutes

Participants:

Member States Representatives: Daniel LETECHEUR (Member, BE), Antonis ANTONIADES (Member, CY), Mariana CAPKOVA (Member, CZ), Thor SOMMERSTRAND (Member, DK), Flemming FABER (Alternate, DK), Jaan PRIISALU (Member, EE), Timo KIEVARI (Member, FI), Jean-Baptiste DEMAISON (Alternate, FR), Roland HARTMANN (Alternate, DE), Ferenc SUBA (Vice Chair, HU), Aidan RYAN (Member, IE), Rita FORSI (Member, IT), Saulius STAROLIS (Member, LT), Francois THILL (Member, LU), Anna CATANIA (Member, MT), Edgar DE LANGE (Member, NL), Krzysztof SILICKI (Member, PL), Manuel PEDROSA DE BARROS (Alternate, PT), Dan TOFAN (Alternate, RO), Gorazd BOZIC (Member, SI), Ignacio GONZALEZ UBIERNA (Alternate, ES), Jörgen SAMUELSSON (Chair, SE), Amy JORDAN (Member, UK).

Commission Representatives: Paul TIMMERS (Member, DG CONNECT)

EEA-Countries representatives: Björn GEIRSSON (Members, IS)

ENISA: Udo HELMBRECHT (Executive Director), Steve PURSER (Head of Core Operations Department), Paulo Empadinhas (Head of Administration and Support Department), Ingrida TAURINA (MB & PSG Secretariat)

Other Participants: Ivan BRINCAT (DG CONNECT)

Apologies: Peter Biro (Member, SK), Reinhard Posch (Member, AT), Ieva Kupce (Member, LV), Jorn Ringlund (Member, NO)

Proxies: **HU** has a proxy to vote on behalf of **SK**, **DE** has a proxy to vote on behalf of **AT**, **EE** has a proxy to vote on behalf of **LV**, **Mr Timmers (COM)** has a proxy to vote on behalf of **Mr Quest (COM)**.

ITEM 1 Opening of the meeting and announcements of the Chair

The Chair opened the Meeting of the ENISA Management Board (MB) and welcomed the participants. He announced the opening address by **Mr Vladislav Kodratovic**, Vice-minister for the Ministry of Transport and Communications of the Republic of Lithuania.

As the welcome note the Vice-minister welcomed MB members and noted that technologies have become an inevitable part of the everyday life and explained the actions taken during LT Presidency. He also highlighted the importance of the ENISA to share information among member states and providing recommendations on NIS.

The Chair thanked Mr Kodratovic for the opening address.

The new ENISA's founding Regulation ensures continuity with the Agency established under Regulation (EC) No 460/2004, as stated under Article 35, paragraph 2, (according to which the "new" ENISA is the legal successor of the existing ENISA at the time of its entry into force). Nevertheless this New ENISA's founding Regulation has no specific provisions regarding transitional, repealing and final measures, which means that numerous MB decisions should be re-adopted and the Chair and Vice-Chair shall be re-elected.

In addition he noted that this Regulation reinforces the responsibilities of the Management Board and establishes the Executive Board.

The Chair welcomed all new members and invited those presented for the first time to introduce themselves. **DK, EE, CZ, FI, PT, UK** took the floor respectively. HU, due to recent changes in the responsibilities, introduced national NIS landscape.

The Chair continued by informing the Management Board that **LV, SK, AT, NO** sent apologies for not being able to participate at the meeting and announced proxies received. **HU** has a proxy to vote on behalf of **SK**, **DE** has a proxy to vote on behalf of **AT**, **EE** has a proxy to vote on behalf of **LV**, **Mr Timmers (COM)** has a proxy to vote on behalf of **Mr Quest (COM)**.

Finally, the Chair welcomed the observer from Iceland and observer from the European Commission (COM).

The Chair also reminded that documents regarding the reimbursement should be promptly communicated to MB secretary during the Meeting in order to finalise all payments in due course and ensure sound management of financial resources.

ITEM 2 Adoption of the Agenda (MB/24/1)

The Chair presented and explained the agenda (see Annex 1).
The Agenda was unanimously **adopted**.

ITEM 3 Adoption of the Rules of procedure (MB/24/2)

The Chair explained that, following the entry into force of the Regulation (EU) No 526/2013, the Management Board shall adopt Rules of procedure. He gave the floor to **COM** who briefly presented the proposal and explained that this draft decision is based on rules of Procedure adopted under Regulation (EC) No 460/2004.

The Chair opened the floor and invited members of the MB to comment and adopt the presented draft Rules of Procedure.

PT noted that the draft proposal is beyond the frame established by the Regulation (EU) 526/2013 since the provisions on the Executive Board are more detailed in the proposal for the Rules of procedure, in that regard he suggested the Chair to request legal advice regarding if the text contained in the proposed Rules of Procedure is in accordance with the ENISA EU Regulation. As an example, for clarification, he referred to the situations where the alternate member should and, in accordance, with the EU Regulation is the legal replacement for the Management Board member during his/her absence, with no exception previewed, namely in

the case where the MB member is also in the Executive Board.

SI highlighted the need to unify some terminology throughout the text. He also asked to clarify the text in Art. 6 par.3 of the draft Rules of Procedure.

DK, FR and COM, supported by SI, explained to the Meeting, that the Executive Board will have an alternate member– other appointed member of the Management Board, but not the actual alternate from Member State in order to ensure continuity and a need for specific knowledge for the tasks of the Executive Board (administrative and budgetary).

After discussing a proposal from PT to change provisions on the Executive Board, which was not supported by the majority of the members, **the Chair** invited the Board to adopt the draft Rules of Procedure.

The MB decision on Rules of Procedure was adopted (25 members voted in favour, one member (PT) voted against, one member abstained).

ITEM 4 Re - elections of the Chair and re-elections of the Vice Chair

The Chair explained that under ENISA's new mandate (Regulation (EU) No 526/2013) the term of the office for the Chair and Vice Chair is three years (previously 2.5 years), renewable, therefore the MB is required to formally re-elect Chair and Vice Chair, taking into consideration that the Regulation (EU) No 526/2013 has no specific provisions regarding transitional measures.

The Chair briefly illustrated a process for the re-election of the Chairperson and Vice-Chairperson and asked for a volunteer from of the Board for chairing the electoral operations (Art.2 (4.1) of the Rules of procedure). BE took the floor from this point.

BE explained the provisions that the Chair and Vice Chair shall be re - elected by a majority of the members (16) with the right to vote. Considering that there is only single candidate for each post, the Meeting proceeded to vote by raising hands.

Mr Samuelsson (SE) was unanimously re-elected as Chair of the Management Board of ENISA.

Following the same procedure, **Mr Suba (HU) was unanimously re -elected as Vice Chair of the Management Board of ENISA.**

ITEM 5 Appointment of the Executive Board

The Chair explained the Rules of procedure for the Executive Board (EB). He also noted the EB will not adopt decisions on behalf of the MB. The Chair confirmed to PT, that minutes will be taken for the EB Meetings and circulated to the rest of the MB.

The Chair invited to nominate candidatures to be appointed as members of the Executive Board. DE nominated the members from AT, PL, HU as candidates and the member from IE as alternate for the EB.

The member from SE (Mr Jorgen Samuelsson), acting as the Chair of the Executive Board, Mr Paul Timmers, a representative from COM, and members from AT (Mr Reinhard Posch), PL (Mr Krzysztof Silicki) and HU (Mr Ferenc Suba) were appointed as members of the Executive Board and the member from IE (Mr Aidan Ryan) was appointed as alternate member for the EB (26 members voted in favour, one member (PT) abstained).

ITEM 6 Delegation the relevant Appointing Authority powers to the Executive Director (MB/24/3)

The Chair explained to the Meeting that under the Regulation (EU) No 526/2013 Art.5(7) the Management Board shall adopt a decision delegating the relevant Appointing Authority powers to the Executive Director of the Agency. He noted that the COM informed him on 10th October 2013, asking the Board to postpone the adoption of this decision after Inter-service Consultation within the COM is finished.

The Meeting took into consideration the COM's explanation and endorsed the draft MB decision to be adopted after the Commission's Inter-service Consultation by the written procedure.

ITEM 7 Prevention and management of conflicts of interest (MB/24/4, MB/24/5)

The Chair informed the Meeting that the Board is invited to adopt Rules for the prevention and management of conflict of interest and Decision on practical arrangements for the rules on declarations of interest. These Rules and forms for declarations are drafted by the Agency and based on the best practice among other agencies. The Chair draw attention to that the signed declarations will be published on the Agency's website and should be updated annually.

The Chair also noted that the Agency drafted practical arrangements for the rules on declarations of interest, which is a part of internal rules of operation and therefore Commission services were consulted in advance.

The Chair informed the Meeting that the Board should appoint a member to the Ethical Committee to be established within the Agency with a consultative function on conflict of interest issues. He invited to nominate candidatures.

Since no candidatures were nominated, the Chair decided to postpone this action and invited the Board to adopt MB decisions.

Rules for prevention and management of conflict of interest and Decision on practical arrangements for the rules on declarations of interest were unanimously adopted .

ITEM 8 Implementing the Staff Regulations (MB/24/6, MB/24/7)

The Chair informed the Board that the Regulation (EU) No 526/2013 Art.5(8) requires the Board from now on to adopt decisions implementing the Staff Regulations. Therefore the Agency prepared the following two decisions for the Board to adopt: Draft MB decision on Administrative Inquiries and Disciplinary Procedures and Draft MB Decision on General Implementing provisions adopting the Guide to missions for officials and other servants of the Agency. These decisions are based on the template provided by the Commission which has also been consulted as required by Staff Regulations.

The Chair opened the floor to comment the proposals.

LU noted that the Art.25, 26, 31 of the Draft MB Decision on Administrative Inquiries and Disciplinary Procedures cannot apply to staff members with nationality of Luxemburg due to national legislation.

The Chair thanked LU for the note and invited the Board to adopt the draft decisions.

The MB Decision on Administrative Inquiries and Disciplinary Procedures and MB Decision General implementing provisions adopting the Guide to missions for officials and other servants of the Agency were adopted (26 members in favour, one member abstained).

ITEM 9 Internal Rules of operations (MB/24/8, MB/24/9, MB/24/10)

The Chair invited the Board to adopt internal rules of operation, which are prepared by the Agency. The Commission services are consulted as foreseen by Regulation (EU) No 526/2013. The Chair noted that these rules are an updated version of the rules adopted under the repealed (previous) ENISA Founding Regulation and is therefore a formal requirement.

In addition the Chair gave the floor to the Executive Director (the ED) for a brief presentation on a new composition of the Permanent Stakeholders Group (PSG) and a proposal for next actions in this regard.

The ED briefly presented requirements of the Regulation (EU) No 526/2013 for PSG membership. The current membership was selected in August 2012 for mandate 2,5 years. Therefore he proposed to extend the current membership to representatives from National Regulatory Authorities, Data protection and Law enforcement authorities by sending letters to BEREC, Article 29 Working Party and Europol respectively as well as appointing former Stakeholder representatives from Academia and Consumer groups as PSG members.

The Chair thanked the ED for the presentation and opened the floor for comments. Since no comments were raised, the Chair invited the Board to adopt MB decisions on internal rules of operations.

The MB Decision on Ad hoc Working Groups, the MB Decision on handling requests and the MB Decision on Transparency and Confidentiality rules were unanimously adopted. The Board also unanimously endorsed the proposal to extend the PSG membership to former Stakeholder representatives to the MB and representatives nominated by BEREC, Art.29 Working Party and Europol.

In addition FR, supported by DK and COM, invited the Agency to draft guidelines on the international engagement. PL suggested addressing the issue of ENISA activities with international organisations in this document as well. This proposal could be presented to the MB at the next meeting. The Chair concluded that this could be addressed at the Informal MB Strategy meeting scheduled for November 2013.

ITEM 10 Update by the COM

The COM gave a brief update on ENISA-related policy development since the last MB Meeting:

- 1) Proposal for a Directive of the European Parliament and of the Council concerning measures to ensure a high common level of network and information security across the Union (NIS directive). LT Presidency is progressing with article by article examination to be finished by the end of November. This draft proposal is a priority dossier for the EL Presidency.
- 2) NIS Platform – 180 participants from 20 organisations are taking part, working groups with support of ENISA are established to bring together best practices on information sharing and other issues.
- 3) Horizon 2020 (H2020) work programmes – Area for security related topics will be adopted separately. More to be presented at the ICT 2013.

The Chair thanked for the update and opened the floor for questions.

NL asked whether the Council of the European Union (Telecommunications) will address this issue at its meeting in December 2013.

FR asked to clarify COM's expectations about the NIS platform. He also stressed the fear of redundancy with work already carried out by the Agency and noted the need for Terms of Reference for the working groups established. As regards the H2020, he invited to share COM's view on the ENISA's involvement in R&D projects.

UK stated that the Commission should make clear what would happen to the outcome of the work carried out by the NIS Platform, and how (if at all) it was linked to the negotiations on the NIS Directive. She also noted that Member States should be consulted on public-private cooperation.

SE highlighted that non-paper is not foreseen. He noted that NIS platform might inspire when COM prepares implementing/delegated acts.

PT shared recent experience from participating at the NIS Platform meeting. The input from ENISA on risk and information sharing is recognised. He suggested that ENISA should be involved at the agenda level more and thus provide input and reducing the risk for duplication of work.

COM explained that NIS platform is fed by work done by ENISA. The Agency is closely involved from the beginning of the establishment of this Platform and therefore no redundancy expected. NIS Platform can be used as a source for decision making. Mr Timmers noted that H2020 issues related to ENISA's involvement should be discussed strategically.

Mr Purser (ENISA) added that working groups of the NIS Platform are led by representatives from private sector. He pointed out that the Agency faces a double pressure. He explained that ENISA is short on resources while a logistic support to NIS Platform with no extra help from the COM should be provided at the same time the Agency is providing the content for these working groups.

The Chair thanked the Meeting for the debate and closed the agenda item.

ITEM 11 Report by the Executive Director (MB/24/11)

The Chair gave the floor to the ED to report on ENISA activities and key achievements since the MB Meeting in March.

11.1. Core activities

The ED highlighted status of implementation of Work Programme (WP) 2013 and gave additional overview on the deliverables of each Work Stream. In addition he presented project support activities. Social media support to promote a report on Article 13a¹ was given as an example. He noted that ENISA Core Operations Department had a smooth move to the new office without delays on the core tasks. The current status of Article 14² requests was presented in detail.

11.2. Administration

The ED informed the Meeting that the amending budget to refurbish Athens office is not fully implemented, due to the pending appropriations from the COM. He noted that this delay will cause high carry over rate. He also gave a brief overview on issues with Hellenic Authorities which are almost solved regarding the implementation of the seat agreement for the office after the COM initiated an EU Pilot letter to Greece.

As regards preliminary opinion of Court of Auditors for 2012, the ED noted that the Agency has no new comments. There is one outstanding comment on documentation of fixed assets.

The ED briefly presented the recent changes to the organisational chart and provided an overview of the staff composition.

The Chair thanked the Agency for the work done so far to implement WP2013 and opened the floor for comments.

NL asked whether the issues with Hellenic Authorities have financial implications.

DE asked to provide more information on the outcome and resources involved in the Article 14 requests.

FR congratulated ENISA on the implementation of WP 2013. He noted that it would be useful to conduct a follow up evaluation (after 2 years) of the efficiency on activities conducted in Member States under Article 14 thus providing patterns for the capacity support building in Member States. He also asked to provide information on how ENISA prioritise requests.

LU invited the Agency to forward requests from Member States to other member States in case there is a lack of resources.

PT appreciated the work done on risk approach and threats scenarios. He asked for more information on Article 14 requests whether a cost/benefit analyses on the engagement on the MS activities has been carried out.

¹ Art.13a of the Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework directive) (as amended by Directive 2009/140/EC)

² Art. 14 of Regulation (EU) No 526/2013.

In reply to questions raised **the ED** explained that the Agency accepted all Article 14 requests so far. He agreed that the outcome of these requests can be shared with the MB. The Agency exploits the MATRIX tool to have an internal overview on human resources associated with these requests. As regards the financial implications of the Article 14 requests, only expenses of staff missions are associated. As regards the financial implications due to issues with Hellenic authorities, the rent for the Athens office is still pending without direct financial impact. This is also noted as a future risk by Court of Auditors.

The Chair thanked the Meeting for the discussion and closed the agenda item.

ITEM 12 Draft Work Programme 2014 (MB/24/12)

The Chair gave the floor to Mr Purser, ENISA, to present the draft WP 2014.

Mr Purser gave an overview on the structure as well as budget and human resources proposed for each Works Stream and Work Package (MB/24/21-1). He continued with presenting comments received from members of the Management Board (MB/24/13).

He invited the Board to agree on any change during the meeting thus allowing ENISA to produce a final document by the beginning of November.

The Chair thanked for the presentation and opened the floor for comments.

DE mentioned the recently distributed comments on WP 2014.

The Meeting had a lengthy discussion on the text of the Work Programme, with conclusion that the Board will vote on the open issues:

- Evidence gathering (WPK 3.3) – comment from Germany supported (24 members voted in favour, 3 voted against);
- Extending Cyber Exercise to third countries (WPK 3.1) – the Meeting agreed to change wording that prior approval from MB is needed for invitations to third countries. It was also noted that a support to national/regional exercises should be better reflected in the WP 2014.
- Certification of CERTS (WPK 2.1) – the Meeting concluded that this kind of activity should not be carried out. Instead it was proposed to add a new activity on evaluation of impact of ENISA activities on CERTs.

In addition it was agreed that the Agency will update the text regarding (1) the role of NLO network, (2) the Council conclusions³, (3) the topic on education (should be placed under WPK 2.3),

The Chair thanked for comments expressed and concluded that the WP 2014 will be adopted by the written procedure launched as soon the Agency finalised the text and a formal opinion from the COM is received.

³ Council conclusions on the Commission and the High Representative of the European Union for Foreign Affairs and Security Policy Joint Communication on the Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace

After the Meeting the ED's explanatory note on the implementation of some aspects of the WP 2014 was prepared in reaction to additional questions raised by FR (supported by CZ and the UK), NL, AT, LU DE and annexed to the minutes (Annex 2).

ITEM 13 Statement of Estimates 2014, Multi-annual Staff policy plan 2014-2016, Establishment Plan 2014, (MB/24/14, MB/24/15, MB/24/16)

The Statement of estimates for the budgetary year 2014 was briefly presented by **Mr Empadinhas**, ENISA. He noted that, compared to the figures presented at the MB meeting in March, there is a cut by 3.800.646,00 EUR (from 12.887.000,00 EUR to 9.086.354,00 EUR). He continued with reporting on a reduction on total staff compared to the March meeting (from 51 temporary agents to 48 temporary agents). He also highlighted the Agency's efficiency rate (22% of staff engaged in the administration) against the benchmark of the Court of Auditors (37% for small Agencies with less than 75 staff). It was stressed that the level of 22% of staff for administration is required to keep the existing quality assurance levels and not compromise the established and well-functioning financial control framework. He also stressed that staff is in the limit of delivery and this situation have some performance risk.

He also explained risks associated with investments in the Athens office. A possible office in Brussels was mentioned as well. He continued with presentation on a proposal for Multiannual Staff Policy Plan 2014-2016, since the Com (DG HR) commented this document after the MB meeting in March.

In addition, the Board was informed about the recently revised Financial Framework Regulation (FFR). Pursuant to Article 113 of the revised FFR each agency should adopt its new financial rules in view of its entry into force on 1 January 2014. Therefore the draft MB Decision on Financial Regulation will be sent by the end of November for the adoption.

Following the discussion on WP2014, the Chair suggested that the Board adopts the Statement of Estimates 2014 together with WP 2014 and invited the Board to adopt Multi-annual Staff Policy plan 2014-2016 only.

The Multi-annual staff policy plan 2014-2016 was adopted unanimously.

ITEM 14 Drafting Procedure for the Work Programme 2015 and Multi-annual Work Programme

The planned development of stakeholder engagements for Work Programme 2015 as well as requirements for multi-annual planning were presented by **Mr Purser**. He noted that the procedure for the preparation of the Multi-annual programme could be drafted at the level of the Executive Board. In addition the ED noted that the Board is invited to discuss three year multi-annual programming themes at the Informal MB Strategy meeting in November 2013.

The Chair thanked for the presentation and opened the floor for comments.

PT reacted in opposition to the proposal contained in the presentation slides, namely: "*ENISA proposes that the Executive Board participates in the discussion on the developing the process how to draft the Multiannual programme*" declared that in accordance with paragraph 2 of article 10 of the 526/2013 EU Regulation "*the Executive Board shall prepare decisions to be*

adopted by the Management Board on administrative and budgetary matters only” also in the same line is whereas (42) stating that *“an Executive Board should be established in order to enable the Management Board to focus on issues of strategic importance”*. PT declared that this proposal contradicts the ENISA regulation and therefore all the work related to the Multiannual Programme should be dealt directly between ENISA and the Management Board.

PT and FR invited the Board to dedicate an afternoon of the Informal MB Strategy meeting to develop a process and decide key areas.

The ED pointed out that the Work Programme for 2015 should be delivered to Management Board by 1st March 2014.

The Chair thanked the Meeting for comments and closed the agenda item.

ITEM 15 Public access to documents (MB/24/17)

The Chair explained the Meeting that according to the Art.18 of the ENISA Founding Regulation (EU) No 526/2013, the MB has to adopt MB Decision on arrangements for implementing Regulation No 1049/2001. He noted that this Decision is prepared by the Agency following the consultation with Commission’s services, and given the fact that that the Regulation (EU) No 526/2013 has no specific provisions regarding transitional measures.

The MB decision regarding public access to documents was unanimously adopted.

ITEM 16 Rules on Seconded experts (MB/24/18)

The Chair invited the Board to adopt MB Decision laying down rules on the secondment of national experts (SNE) to the Agency. These rules are drafted by Agency following a template from the COM and taking into account best practices among other Agencies.

MB Decision laying down rules on the secondment of national experts (SNE) to the Agency was unanimously adopted.

ITEM 17 Combating fraud (Mb/24/19, MB/24/20)

The Chair briefly explained that according to the Art.20(1) of the ENISA Founding Regulation (EU) No 526/2013, the MB has to adopt two decisions: “On applicable provisions for internal investigations” and “On acceding to Inter-institutional Agreement concerning OLAF”.

After a brief discussion on scope of the Article 3 of the MB decision on applicable provisions for internal investigations, the Chair invited the Board to adopt both decisions.

The MB Decision on applicable provisions for internal investigations and MB Decision on acceding to Inter-institutional Agreement concerning OLAF was unanimously adopted.

ITEM 18 Reimbursement Rules

The Chair gave the floor to Mr Empadinhas (ENISA) to present a simplified proposal for reimbursement rules for experts not employed by ENISA. These rules according to the Rules of Procedure will be adopted by the ED.

Members (SE, DE, FR, SI) shared the experience with the current rules applicable to the members of the Management Board.

The ED thanked for the comments and suggested that the proposal should be further elaborated and discussed at the level of the Executive Board.

ITEM 19 Date and venue of future meetings

After a brief discussion, the MB **approved** the dates and venues for next MB meetings as follows:

- Informal MB Strategy meeting: starting at noon Tuesday, 27/11/2013 for Multi-annual planning and continued full day Wednesday, 28/11/2012, Athens, Greece.
- MB Ordinary Meeting: Thursday, 20 March 2014, Athens.

Dates for the informal joint MB and PSG meeting for WP 2015 to be decided at the MB Meeting in November 2013.

The 1st EB Meeting is scheduled for morning, Tuesday, 27/11/2013 in Athens.

After the Meeting the Executive Board decided to meet on 29/11/2013 (morning only) in Brussels, Belgium. The place of the Informal MB Strategy Meeting was changed to Brussels, Belgium as well. Thus Informal MB Strategy meeting is scheduled for 28/11/2013 Brussels, Belgium.

ITEM 20 Any Other Business

The chair invited the Board to raise any additional comments, which Members did not do.

ITEM 21 Closure of the meeting

The Chair thanked the MB members for the fruitful participation and ENISA for the preparation of the meeting.

For the Management Board

Jorgen Samuelsson

Chairperson

Annex 1: Agenda

Ref: MB/24/1
(version of 14/10/2013)

ENISA Management Board Meeting
Draft Agenda
16-17/10/2013
Vilnius, Lithuania

Dinner – 16/10/2013 19:30 Restaurant Milky Way
(Sausio 13-osios 10, LT-2050 Vilnius)

Meeting: 17/10/2013 Premises of Ministry of Transport and Communications
(Gedimino Av.17, LT 1505 Vilnius)

Indicative timing	Item number	Item	Documents and Presentations	Action
8:50 - 9:10	1	Opening of the meeting, opening address, announcements	- Opening of the meeting by the Chair - Opening speech, Mr Vladislav Kodratovic, Vice-Minister - Announcements by the Chair - Introduction of MB Members – tour de table	Information
	2	Adoption of the agenda	- Draft Agenda (<i>ref.MB/24/1</i>)	Adoption
IMPLEMENTATION OF REGULATION 526/2013 (Management Board related)				
9:10 - 9:20	3	Adoption on the Rules of procedure, Art.5 (10)	- Rules of procedure of the Management Board and the Executive Board (<i>ref.MB/24/2</i>)	Adoption
9:20 - 9:45	4	Elections of the Chair Elections of the Vice Chair	<i>Please note that under ENISA's new mandate (Regulation no 526/2013) the term of the office for the Chair and Vice Chair is three years (previously 2.5 years), renewable, therefore the MB is required to formally re-elect Chair and Vice Chair</i>	Re-Election
9:45 - 10:00	5	Appointment of the Executive Board	<i>The Executive board shall be made up of five members appointed among the members of the Management Board, amongst whom the Chairperson of the management Board, who may also chair the Executive Board and one representative of the Commission</i>	Adoption
10:00 - 10:10	6	Delegating the relevant Appointing Authority powers	- Draft MB Decision on delegating the relevant Appointing Authority powers to the Executive Director (<i>ref.MB/24/3</i>) -Note to the file (<i>ref. MB/24/3-1</i>)	Information and adoption

		to the Executive Director, Art.5(7)		
10:10 – 10:30	7	Prevention and management of conflicts of interest, Art.5(6), Art.15(3)	<ul style="list-style-type: none"> - Draft MB Decision on rules for the prevention and management of conflicts of interest (<i>ref.MB/24/4</i>) - Appointing a member of the Management Board for the Ethical Committee - Draft MB Decision on practical arrangements for the rules on declarations on interest (<i>ref.MB/24/5</i>) 	Information and adoption
10:30 – 10:40	8	Implementing the Staff Regulation, Art.5(8) of ENISA Regulation (EU) 526/2013	<ul style="list-style-type: none"> - Draft MB decision on Administrative Inquiries and Disciplinary Procedures (<i>ref.MB/24/6</i>) - Draft MB Decision on General implementing provisions adopting the Guide to missions for officials and other servants of the Agency (<i>ref.MB/24/7</i>) 	Information and adoption
10:40 – 11:00	9	Internal rules of operation under Art.5 (11) of ENISA Regulation (EU) 526/2013	<ul style="list-style-type: none"> - Draft MB Decisions on the Internal Rules of Operation, including: <ul style="list-style-type: none"> - <i>Ad hoc Working Groups (Art.11(3)) (ref.MB/24/8)</i> - <i>Handling requests (Art.14) (ref.MB/24/9)</i> - <i>Transparency and Confidentiality rules (Art.16) (ref.MB/24/10)</i> - ENISA presentation on PSG composition and a way forward 	Information and adoption
11:00 – 11:30	Coffee Break			
2013 REPORTS				
11:30 – 12:00	10	Update by the COM	Presentation by the COM on recent updates	Information
12:00 – 12:30	11	Report by Executive Director on the Activities of the Agency	<p>The ED's Report-presentation including:</p> <ul style="list-style-type: none"> - Work Programme 2013 progress report; - CoA observations; - Current status of Art.14 requests; - Staffing, etc. (<i>ref.MB/24/11</i>)	Information
12:30 – 14:00	Lunch			
2014-2015 PLANNING				
14:00 – 14:30	12	Draft Work Programme 2014	<ul style="list-style-type: none"> - Draft Work Programme 2014 (<i>ref.MB/24/12</i>) - Table with comments (<i>ref.MB/24/13</i>) 	Information

			- ENISA presentation on the current status and a way forward (<i>ref.MB/24/12-1</i>)	
14:30 - 15:00	13	Statement of estimates, Establishment Plan Staff Policy Plan 2014-2016	- Draft budget 2014 (<i>ref.MB/24/14</i>) - Multiannual Staff Policy Plan 2014-2016 (<i>ref.MB/24/15</i>) - Draft Establishment plan 2014 (<i>ref.MB/24/16</i>) - ENISA presentation (<i>ref.MB/24/14-1</i>)	Information and adoption
15:00 - 15:30	14	Drafting Procedure for the Work programme 2015 and Multiannual Work Programme	- ENISA Presentation on further procedures	Information
15:30 - 15:45	Coffee Break			
15:45 - 16:00	CLOSED SESSION			
IMPLEMENTATION OF REGULATION 526/2013 (Procedure related)				
16:00 - 16:15	15	Public access to documents, Art.18 (2) of ENISA Regulation (EU) 526/2013	Draft MB Decision on arrangements for implementing Regulation No 1049/2001 (<i>ref.MB/24/17</i>)	Information and adoption
16:15 - 16:30	16	Rules on Seconded experts, Art.25(2) of ENISA Regulation (EU) 526/2013	Draft MB Decision on SNE rules (<i>ref.MB/24/18</i>)	Information and adoption
16:30 - 16:45	17	Combating fraud, Art.20(1) of ENISA Regulation (EU) 526/2013	- Draft MB Decision on applicable provisions for internal investigations (<i>ref.MB/24/19</i>) - Draft MB Decision on acceding to Interinstitutional Agreement concerning OLAF (<i>ref.MB/24/20</i>)	Information and adoption
PRACTICAL ARRANGEMENTS				
16:45 - 17:00	18	Reimbursement Rules	ENISA presentation on rules for reimbursement	Information
17:00	19	Date and venue of future 2013 and 2014 meetings	TBD	Approval
17:10	20	Any other business		
17:15	Closure of meeting			

Annex 2: Note on Implementing the Work Programme 201427th November 2013
ENISA/MB/UH/uh/2013/1114

Note of the Executive Director to the Management Board on Implementing the Work-Programme 2014

1. Introduction

This note explains the current situation of the work programme for 2014 (WP 2014) for a number of items that have been raised by MB members during the written procedure. These work items are as follows:

- Pan-European exercises (WPK 3.1)
- EU US exercises (WPK 3.1)
- Algorithms and parameters for secure services (WPK 1.2, D3)
- Stocktaking of achievements in the area of CERTs and a draft roadmap to plan future work in this area (WPK 2.1, D6)
- National Liaison Officer Network (section 4.2)

The objective of the note is to clarify any ambiguities in the current description, taking account of the comments received by MB members during the written process.

2. Participation in pan-European exercise

ENISA's understanding of the requirements of the MB for this item is that for any future changes in the community (e.g. participating of third countries or participation of ENISA in third party exercises), the approval of the MB will be sought in advance. The section 3.4.3 (end of paragraph 2 under the heading 'Pan-European Cyber Exercises: Cyber Europe 2014') has to be read as:

'ENISA will not invite additional third countries or stakeholder communities to participate in future EU cyber security exercises – including and beyond Cyber Europe 2014 - without having first obtained the approval of ENISA's Management Board.'

3. EU US exercises

ENISA's understanding of the agreement reached in the last MB meeting was that the EU US exercise remains in the WP 2014. ENISA will start with limited resources (i.e. less than planned) some preparatory work, but the exercise itself is subject to be approved by the MB.

4. Algorithms and parameters for secure services

This deliverable is concerned with the use of commercial cryptography in an open market environment (i.e. it is NOT concerned with cryptography that is used in any other context, such as defence, intelligence or intra-government communication involving non-commercial algorithms). It is aimed at a broad and public audience, in government or corporate services, or even at the citizen level, and could include for instance: appropriate organisational measures for companies, awareness on crypto for the general public, etc. In other words, ENISA plans to take a cross-border perspective on an issue that is already in the public domain and is the subject of

research by many public sector and private sector participants. ENISA will report on recommendations by different communities, including the Member States, but will leave the final choice to the implementers.

This having been said, the work that ENISA is proposing does not overlap with other such efforts on national level because (a) we will take account of the work being done in the Member States and (b) we intend to concentrate on the cross-border requirements.

5. Work with CERTs

Concerning the ENISA proposal for the work being carried out with the CERT community, the MB clearly stated that the deliverable on ‘certification schemes’ should be deleted and replaced by an evaluation of the impact of ENISA’s work with the CERT community to date.

This has been done and the deliverable ‘Draft guide or roadmap on “proving mechanisms” (or other suitable mechanisms for assessment) for nat./gov. CERTs baseline capabilities’ has been replaced by ‘Stocktaking of achievements in the area of CERTs and a draft roadmap to plan future work in this area’.

6. NLO network

ENISA fully supports the idea that the NLO network should be further developed, in the process of implementing the annual WP 2014. There is a clear commitment to keep the NLO informed on all key developments:

‘ENISA will regularly send information to the members of the NLO network containing information on upcoming ENISA project related tenders, vacancy notices, and events organised by ENISA or where the Agency contributes to (for example co-organiser, etc.).’

Similarly, and in line with the discussion in the MB, we propose to expand our current approach to include a web interface to NLO members, which should make the interaction between ENISA and the NLO community more interactive, in particular by providing useful information (deadlines, contact information, etc.) on current and future ENISA WP activities.

‘An assessment of the NLO section page under the ENISA home page is being carried out in an effort to revise this tool of communication between the Agency and the NLOs. In this respect the Agency is assessing possible improvements as well as gaps that can be filled either by the ENISA home page or other tools....’

ENISA will organise a NLO meeting in Feb. 2012 to discuss with the NLOs the details of the cooperation and their involvement in the ENISA work-programme.

Udo Helmbrecht
Executive Director